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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

WELLS FARGO BANK, NATIONAL ASSOCIATION, AS  
TRUSTEE, ON BEHALF OF THE REGISTERED  
HOLDERS OF CSAIL 2017-CX9 COMMERCIAL  
MORTGAGE TRUST, COMMERCIAL MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES 2017-CX9

and

WILMINGTON TRUST, NATIONAL ASSOCIATION, AS  
TRUSTEE, ON BEHALF OF THE REGISTERED  
HOLDERS OF CSAIL 2017-C8 COMMERCIAL  
MORTGAGE TRUST, COMMERCIAL MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES 2017-C8,

Plaintiffs,

-against-

ACROPOLIS GARDENS REALTY CORP., a New York  
corporation; ACROPOLIS ASSOCIATES LLC, a New York  
limited liability company; THE ACROPOLIS GARDENS  
CONDOMINIUM, BOARD OF MANAGERS; PEOPLE OF  
THE STATE OF NEW YORK, ALBANY, NEW YORK;  
THE CITY OF NEW YORK; THE CITY OF NEW YORK  
ENVIRONMENTAL CONTROL BOARD; BUILDING  
SERVICE 32BJ HEALTH FUND; BUILDING SERVICE  
32BJ LEGAL SERVICES; BUILDING SERVICE 32BJ  
THOMAS SHORTMAN; and JOHN DOES I THROUGH  
XXXX

Defendants.

Case No. 18-cv-05498-WFK-RLM

**STIPULATED ORDER OF  
DISMISSAL WITHOUT  
PREJUDICE WITH  
RETENTION OF  
JURISDICTION BY COURT**

Having been advised that Plaintiffs Wells Fargo Bank, National Association, as Trustee,  
on behalf of the registered holders of CSAIL 2017-CX9 Commercial Mortgage Trust,

Commercial Mortgage Pass-Through Certificates, Series 2017-CX9 (“**A1 Noteholder**”) and Wilmington Trust, National Association, as Trustee, on behalf of the registered Holders of CSAIL 2017-C8 Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2017-C8 (“**A2 Noteholder**” and collectively with A1 Note Holder, “**Lenders**”) have entered into an agreement (the “**Agreement**”) with Defendant Acropolis Gardens Realty Corp. (“**Borrower**”), Acropolis Associates LLC (“**Acropolis Associates**”) and the Acropolis Condominium Board of Managers (the “**Acropolis Condominium**” and, together with Borrower and Acropolis Associates, the “**Responding Parties**”) with respect to the Loan (as defined in the Verified Complaint filed herein), and having been further advised that Lenders, the Responding Parties and David Sorise, the court-appointed receiver (“**Receiver**”) appointed by this Court pursuant to an Order Appointing Receiver entered herein on October 19, 2018 (the “**Receiver Order**”), have agreed to this Stipulated Order, the Court, for good cause shown, hereby finds and it is hereby ordered as follows:

**ORDERED** that upon approval by the Court of the Receiver’s final accounting and discharge of the Receiver and the Receiver’s bond as provided for pursuant to that certain Stipulated Order Relieving Receivership of Duties and Obligations Subject to Final Accounting And Court Approval, the above captioned litigation (the “**Litigation**”) is hereby dismissed without prejudice; and it is further

**ORDERED** that the Court shall retain jurisdiction over this matter for one year following the date of this Order so that Lenders or Responding Parties may request that the Litigation be re-opened to address any disputes arising out of the Agreement or in connection with the Loan.

**INTENTIONALLY LEFT BLANK**

Dated: New York, New York  
September 30, 2019

Agreed to and Submitted By:

POLSINELLI PC

MEISTER SEELIG & FEIN LLP

/s/ Amy E. Hatch

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*Counsel for Acropolis Associates LLC*

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*Counsel for David Sorise, as Receiver*

SO ORDERED

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U.S.D.J.